

Fr/DAC



TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
060740-US

In Re Application Of: Buck, Bela Hieronymus

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/590,879	27 August 2006	O'Hara, Brian M.	30,234	3644	2916

Title: Support for the Cultivation of Macroorganisms...

COMMISSIONER FOR PATENTS:

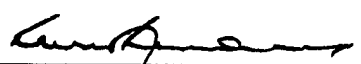
Transmitted herewith is:

- a.) Petition to Withdraw Holding of Abandonment;
- b.) Post Card Receipt

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☐ The Director is hereby authorized to charge and credit Deposit Account No. _____ as described below.
 - ☐ Charge the amount of _____
 - ☐ Credit any overpayment.
 - ☐ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.




Signature

Dated: 21 March 2009

Karl Hormann
Registration No.: 26,470

Area Code 617.491.8867

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on 22 March 2009 (Date)	
	
Signature of Person Mailing Correspondence	
Karl Hormann	
Typed or Printed Name of Person Mailing Correspondence	

cc:



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application No.: 10/590,879
Filed: 27 August 2006
By: Buck, Hieronymus Bela
For: Support Device for the Cultivation
of Microorganisms...

Examiner: O'Hara, Brian M
Group Art Unit: 3644
Confirmation No. 2916

P.O. Box 381516
Cambridge MA 02238-1516
21 March 2009

Hon.
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Petition to Withdraw Holding of Abandonment

Sir:

In pursuit of Applicant's letter dated 5 March 2009 (copy enclosed) in response to the notice of allowance, this is courteously to petition the withdrawal of the holding of abandonment.

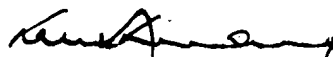
As stated in the undersigned attorney's letter of 5 March 2009 the Notice of Allowance dated 23 October 2008 was not received until 5 March 2009. Neither Applicant nor his attorney has any control over the postal process between mailing of correspondence by the Patent and Trademark Office and the receipt thereof by the Attorney.

Ordinarily the date for response to incoming correspondence from the Patent and Trademark Office (such as, for instance, a Notice of Allowance) is manually recorded in a calendar of office actions due and the correspondence is then matched with a corresponding file and placed, by way of additional control over the due date, in chronological order in a special filing cabinet for action prior to the recorded time. However, in view of the obvious discrepancy between the alleged date of mailing of the notice of allowance and its receipt, immediate action was taken by writing and submitting by telefax in advance the letter

referred to *supra*.

In view of the circumstances set forth above and Applicant's inability to control the passage of mail between the Patent and Trademark Office and his Attorney this is respectfully to request that the current holding of abandonment be withdrawn and that Applicant be afforded sufficient time to submit the issue fee.

Respectfully submitted,



Karl Hormann
Registration No.: 26,470
Customer No.: 30,234

Area Code 617.491.8867